

AO 70 (8/85) Order of Temporary Detention

ORIGINAL

FEB 11 2004

United States District Court

District of Hawaii

at 3 o'clock and 07 min. P M
WALTER A.Y.H. CHINN, CLERK*United States of America*

v.

ROCKY DEMELLO

**ORDER OF TEMPORARY DETENTION
PENDING HEARING PURSUANT TO
BAIL REFORM ACT**

Case No: MAG 04-0128 LEK

Upon motion of the USA, it is ORDEREDthat a detention hearing is set for 2/13/04 * at 10:30 am
Date Time

before Leslie E. Kobayashi, United States Magistrate Judge at Honolulu, Hawaii. Pending this hearing, the defendant shall be held in custody by the United States Marshal and produced for the hearing.

Date: February 10, 2004

Leslie E. Kobayashi
Judicial Officer

*If not held immediately upon defendant's first appearance, the hearing may be continued for up to three days upon motion of the government, or up to five days upon motion of the defendant. 18 U.S.C. §3142(f)(2).

A hearing is required whenever the conditions set forth in 18 U.S.C. §3142(f) are present. Subsection (1) sets forth the grounds that may be asserted only by the attorney for the Government; subsection (2) states that a hearing is mandated upon the motion of the attorney for the Government or upon the judicial officer's own motion if there is a serious risk that the defendant (a) will flee or (b) will obstruct or attempt to obstruct justice, or threaten, injure, or intimidate, or attempt to threaten, injure, or intimidate a prospective witness or juror.